IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

WP(C).No. 28743 of 2007(V)

PETITIONER:

PAILY KURIAKOSE, AGED 67 YEARS,
S/O. LATE PAILY, THEKKEKUDIYIL,
ARAKKUZHA VILLAGE, MUVATTUPUZHA TALUK.

BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

RESPONDENTS:
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1. STATE OF KERALA REPRESENTED
BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA
THIRUVANANTHAPURAM.

2. THE SPECIAL TAHSILDAR (L.A(NO.IV
MUVATTUPUZHA VALLEY IRRIGATION PROJECT,
KOOTHATTUKULAM.

3. THE DISTRICT COLLECTOR,ERNAKULAM
CIVIL STATION BUILDINGS,
KAKKANAD, KOCHI-30.

BY GOVERNMENT PLEADER SHRI BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31/10/2007 ALONG WITH WPC NO. 23773 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C) NO. 28743 OF 2007

APPENDIX

PETITIONER'S EXHIBITS:

EXHIBIT P1 TRUE PHOTOSTAT COPY OF THE ORDER DATED 16.3.1995 ISSUED BY THE SECOND RESPONDENT IN LAR NO.60/1983.

EXHIBIT P2 DO. DO. IN LAC NO.106 OF 1983.

EXHIBIT P3 DO. PROCEEDINGS IN FILE NO.A1-735/1996 DATED 18.8.1998 OF THE SECOND RESPONDENT.

EXHIBIT P4 DO. APPLICATION DATED 7.8.1999 SUBMITTED BY THE PETITIONER IN LAC NO.60/1983 BEORE THE SECOND RESPONDENT.

EXHIBIT P5 DO. DO. DO. IN LAC NO.106 OF 1983.

EXHIBIT P6 DO. DO. POCEEDINGS DATED 8.2.2001 ISSUED BY THE SECOND RESPONDENT IN LAC NO.60/1983.

EXHIBIT P7 DO. DO. OF THE APPLICATION DATED 23.3.2001 SUBMITTED BY THE SECOND RESPONDENT IN LAC NO.60/1983.

EXHIBIT P8 DO. DO. PROCEEDINGS DATED 26.8.2006 ISSUED BY THE SECOND RESPONDENT REJECTING EXHIBIT P5 AND P7 APPLICATIONS SUBMITTED BY THE PETITIONER.

RESPONDENTS' EXHIBITS: NIL

K. PADMANABHAN NAIR, J.

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W.P(C) NO.28743 OF 2007

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Dated this the 28th day of January, 2008

O R D E R

In the judgment rendered on 31.10.2007 this Court quashed Exhibit P6 order and directed the Land Acquisition Officer to reconsider the same. Actually the order rejecting petitioner's application is Exhibit P8. So the second sentence of the last paragraph in the judgment will read as "Exhibit P4 order passed by the Special Tahsildar in W.P(C) No.23773 of 2007 and Exhibit P8 order in W.P(C) No.28743 of 2007 are hereby quashed".

Office is directed to issue corrected copy of the judgment.

In view of the delay, the time fixed for passing fresh orders in the matter is extended by two months from the date of receipt of a corrected copy of the judgment.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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M.F.A.

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J U D G M E N T

TH JANUARY, 2008